

REMARKS

This is in response to the Office Action mailed May 3, 2004. Claims 12 and 22 remain cancelled. Claims 1, 14, 17, and 29 have been amended. New claims 34-62 have been added to call out additional structure. Claims 1-11, 13-21, and 23-62 are pending. Support for new claims 34-62 can be found throughout the specification and specifically in paragraphs 0003 and 0027, claims 7-11, and Figures 3, 6, and 7 (text used in food safety labeling systems); paragraph 0020, claims 1, 14, 17, and 20, and Figures 1 and 2 (label with front and back surfaces and an adhesive layer); paragraph 0022 and original claims 12 and 13 (temperature ranges of the adhesive); paragraph 0024 and original claims 4 and 18 (a label made of polypropylene); paragraph 0023, original claim 2, and Figures 1-7 (a label having a circular or rectangular shape with a tab); paragraph 0026 and Figures 3 and 7 (a tab with the word "pull"); and paragraph 0020 and paragraph 0027, and Figures 3, 6, and 7 (label with writing on it and label with multiple languages).

New claims 34-62 call out particular embodiments of the present invention and include additional structural elements such as (1) the shape of the label, (2) a label with front and back surfaces, (3) the food safety text located on the label, (4) the ability of the label to remain adhered to a substrate over a broad range of temperatures, and (5) a tab portion or nonadhesive portion.

Interview Summary Record

Applicants thank the Examiner for the courtesy shown to Mark T. Skoog in the interview of August 2, 2004. The claims were discussed and proposed amendments were suggested.

Rejections Under 35 U.S.C. § 103(a)

In the final action, the Examiner has rejected claims 1 – 11, 13 – 21, 23 – 32 as unpatentable under 35 USC §103 as obvious in view of Scott in light of the admitted prior art. Applicants respectfully traverse this rejection.

Scott discloses a method of manufacturing a hidden coupon under a label flap where the label flap can be pulled away and resealed. Scott does not teach the features of the claimed invention, include (1) an adhesive label, (2) food safety text, or (3) a label that remains adhered to a substrate over a range of temperatures.

Applicants continue to maintain that the Examiner is misapplying the remarks made by the Applicant in the disclosure. Reference to FASSON® R10 was intended as part of the enabling disclosure and not as an admission of prior art.

In addition, even if the discussion in the disclosure of the FASSON® R10 adhesive is an admission of prior art, there is nothing in the Scott reference to teach or suggest combining its teachings with an adhesive having the properties recited in the present claims. The labels of Scott are designed for product packages. There is nothing to teach or suggest the need to use as an adhesive which can retain its adhesive properties over a broad range of temperatures. Thus there is nothing to suggest combining the teachings of Scott with an adhesive as specified in the claims.

Similarly, that rubber based adhesives exist such as FASSON® R10 does not teach or suggest that it can be combined with the labels described in Scott.

New Claims

Scott does not render obvious new claims 34-62. New claims 34-62 call out additional structure that is not disclosed or suggested by Scott including (1) an adhesive label, (2) food safety text, or (3) a label that remains adhered to a substrate over a range of temperatures.

Summary

In view of the above, each of the presently pending claims in this application is believed to be an immediate condition for allowance. Accordingly, the Examiner is respectfully requested to pass this application to issue.

If a telephone conference would be helpful in resolving any issues concerning this communication, please contact applicant's primary attorney of record, Andrew D. Sorensen, Reg. No. 33,606 at 651-306-5810.

Respectfully submitted,

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